

designed to ensure that we respect cultural and religious traditions. It circumvents the American Indian Religious Freedom Act and the National Historic Preservation Act which charge the Federal agencies to protect against harm to such sites. The rider does this over the repeated opposition expressed in tribal council resolutions and now in the resolutions of the National Congress of American Indians.

Third, this rider has never been properly considered by Congress. It surfaced mysteriously in the third Interior conference committee without having been included in either of the House or Senate appropriations bills. But to add insult to injury, its sponsors took out a provision of far greater importance in order to get it in—a report on American Indian HIV/AIDS prevention needs. The only hearing ever held on this matter was a joint hearing of two House authorizing committees in 1990 at which the General Accounting Office reported that the irregularities involved in granting the original permit were so great that it would not have withstood judicial scrutiny except for the waiver provided in the last days of the 100th Congress. The official who signed the original permit admitted at that hearing that he had exceeded his legal authority in granting it.

Finally, this rider is bad for the environment because it waives the requirements of the Endangered Species Act and the National Environmental Policy Act. All these laws ask is that the agencies examine alternatives to see whether less harmful means are available to achieve the same end. Even if the ESA might preclude the project as proposed, exemptions are available for regionally significant projects. It seems that given the fact that the observatory sits on a world class ecological site left behind by the glaciers that is the home of numerous species of animals and plants, some of medicinal value, and several that are virtually unknown anywhere else, we should at least weigh the alternatives and ask the developers to begin the permit application process. This rider sets a dangerous precedent for further site-specific waivers when the laws of this country get in the way of development.

Since the President vetoed the last Interior appropriations measure in December, Mt. Graham has become a cause celebre. Grammy award-winning rock musicians Pearl Jam have featured it in a new Website for citizenship and the Indian band Red Thunder has also spoken out against the project in their tours and radio appearances. I am proud that this Nation's youth is involved in today's issues, so I would ask that this Congress set a better example for them. We should return to a higher standard of substantive discussion, procedural honesty, and simple justice by striking the Mt. Graham rider.

The second provision which gravely concerns me is the so-called "Lummi" provision contained in section 115 of

the general provisions of Interior portion of bill. Under the guise of "property rights", the measure that would penalize any self-governance tribe in the State of Washington, but particularly the Lummi Nation, for exercising its sovereign on-reservation rights. This provision is dangerous because it sets a precedent for fiscally punitive actions against any tribe in any State, self-governance or not, that tries to exercise its legitimate governmental powers. This act of intimidation flies in the face of the longstanding congressional policy of self-determination and the fiduciary relationship between the United States and the 557 American Indian and Alaska Native tribes in this nation.

This unwarranted and unprecedented intrusion into tribal matters goes against the grain of every anti-Washington, antibureaucracy sentiment embodied in the Contract With America. This provision is unnecessary because it is an extraordinary attempt to unduly influence ongoing and fruitful negotiations between the tribe and local on-reservation property owners. This is a local issue that can and should be resolved through negotiations without the heavy hand of big brother. The Lummi provision is unprecedented in its attack on Indian sovereignty and the ability of tribes to manage their own natural resources.

My history tells me that the tribe acquired its senior water rights more than 140 years ago in the Treaty of Point Elliot in which the tribe reserved enough water to sustain the reservation as a homeland and to support the fisheries resource of the Nooksack Basin. But by penalizing the tribe's funding—up to 50 percent of its self-governance funding which are used to fund education, social services, natural resources, and law and order—for exercising the tribe's senior water rights, the sponsors are doing nothing short of rewriting federal western water law to suit their own purposes.

I would also point out that I am not alone in my assessment because the President in his December 18, 1995 veto message specifically identified the same provision as a reason for his veto. The President rightly noted that in penalizing "these tribes financially for using legal remedies in disputes with non-tribal owners of land on their reservations" this provision does not serve the interests of our nation and its citizens.

Madam Speaker, this action has an unblemished record when it comes to breaking Indian treaties—we have broken every one—so perhaps it should come as no surprise that we are trying to break another. But I for one, and my Democratic colleagues agree, that it is time for us to stop. If we can override federal treaties and laws simply because we do not happen to agree with the claims of one party in a dispute, what does that mean for the rest of us, not to mention any of the other 556 tribes in this country? I have always

been proud of the fact that we are a nation of laws, and of our rich history of justice. But this provision, Mr. Speaker, this provision is not justice.

Madam Speaker, in closing, I'd just like to say that if we as Americans take our rights seriously, if we cherish those principals which made our country great such as the freedom to practice our religion and the freedom of self-determination, then we need to really think about our treatment of Native Americans, and ask ourselves if we can do better. We can start by eliminating the Mt. Graham and Lummi provisions. I urge the White House and the Senate to reject these measures.

#### THE ALAN KEYES INCIDENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. GEKAS] is recognized for 5 minutes.

Mr. GEKAS. Madam Speaker, last week the whole world was horrified by the spectacle of Ambassador Alan Keyes being handcuffed or otherwise restrained and forcibly prevented from entering into a television area for a debate among candidates.

I feel personally outraged by that entire incident. I feel the insult that Ambassador Keyes must have felt. I feel the dismay that must have flowed through his veins at that time. Then not only was he prevented from entering into the premises, but then carried off like he himself was a criminal and taken to a remote part of the territory there and dumped off like an unwanted citizen. Double outrage, double affront, as it were, more of an insult.

Now, I think that everyone in America has shared that feeling of insult along with Ambassador Keyes, and I suppose many have expressed their regrets. I did and sent a personal note to him expressing my regrets and expressing that I felt with him the range of insults that he must have felt.

But I must tell my colleagues that I have even more reason to associate myself with that insult, because I experienced almost exactly the same thing in the year 1966 in my first venture into politics when I myself was blocked by constables, as it was at that time, from entering into a public political meeting place where I should not have been excluded, but I was.

So I, in viewing the Keyes incident, of course had flashes in front of me of what had happened to me many years ago. There is no way to express this indignation which we are attempting to do here this evening, but I must tell my colleagues I am going to write a letter to the FEC, to the FCC, to the television station in question, to the law enforcement community of that area, to find out exactly what happened and why.

Madam Speaker, I am not sure that Federal laws were violated by those people who strong-armed Mr. Keyes, but equal time always enters into these

dimensions of public broadcast, especially about political debates. I want to see whether he was unfairly kept from the debate even. After all, he had participated in several debates before, television debates. As I recall, he was given very high ratings by the viewing public and by commentators and by pollsters and others who would evaluate those debates. He was given high marks.

□ 1915

So I want to find out did equal time apply? I want to find out did Federal election laws come into play? How about Federal communications laws? And I am going to compile the answers here and see whether or not my committee, the Subcommittee on Administrative and Commercial Law of the Committee of the Judiciary, whether my committee has jurisdiction to further look into this outrage or whether some other committee might be invited to review the events of that evening.

But no matter what the outcome, I now know that the CONGRESSIONAL RECORD at least records the feelings of the Members of the House of Representatives, and, as I said in my note to Ambassador Keyes, we hope that this will not deter him one moment, as apparently it is the case that it is not deterring him, not one moment from pursuing his goals, from uttering his message and from registering his rights to speak out on any issue at any time.

#### "RUSH LIMBAUGH IS A BIG, FAT IDIOT"

The SPEAKER pro tempore (Mrs. WALDHOLTZ). Under a previous order of the House, the gentlewoman from Colorado [Mrs. SCHROEDER] is recognized for 5 minutes.

Mrs. SCHROEDER. Madam Speaker, humorist Al Franken, in his book "Rush Limbaugh Is a Big, Fat Idiot," I think was absolutely right. He points out how Rush plays so fast and loose with the facts, and, believe me, he did it again this week.

For those of you who saw his show, he took my comments on this floor that I was talking about as we celebrate Woman's History Week, or History Month this month, and he was saying that it was all a bunch of poppycock.

Well, I am here to set the record straight, and I think it is time every woman in America straightened her back and say enough of this nonsense.

The first thing he took me to task for was saying that there was a revolutionary soldier, who was a woman, who was buried in West Point. Well, Rush has been chortling, "Ho, ho, ho, Mrs. SCHROEDER is absolutely wrong, that can't be true."

Well, Rush you are wrong, and I am right. Let me tell you why.

We were both referring to a woman named Molly Corbin. Molly Corbin indeed was in the Revolutionary War.

She was a recipient of the first female veterans pension in American history, and, yes, she was reburied in West Point.

That is what he keeps saying, "Oh, but she wasn't even buried there, way after it, so it could not possibly have happened." But she was buried there in 1926 at the request of the Daughters of the American Revolution. Now, if he wants to pick a fight with them, go ahead, but I think they are going to win.

I would like to put in the RECORD at this time, Madam Speaker, a letter from the Department of the Army, the U.S. Military Academy at West Point, verifying this fact.

The letter referred to is as follows:

DEPARTMENT OF THE ARMY,  
U.S. MILITARY ACADEMY,  
West Point, NY, November 8, 1989.

Mr. DANIEL BUCK,  
Office of the Honorable Patricia Schroeder,  
Rayburn Building, Washington, DC.

DEAR MR. BUCK: The enclosed information may be helpful in answering the question of Revolutionary War soldiers buried at West Point.

A news release from the Information Office of the United States Military Academy in 1968, mentions the relocation of graves of soldiers to the cemetery during the 1800's. The grave of Ensign Dominick Trant is identified as the oldest grave in the cemetery.

A listing copied from a Walking Tour of the West Point Cemetery identifies Trant as a member of the 9th Massachusetts Regiment.

Molly Corbin's remains were disinterred from the Old Cemetery at Highlands Falls in 1926, and reburied at the West Point Cemetery.

Please do not hesitate to contact the Library if the enclosed material does not sufficiently answer your question.

Sincerely,

JUDITH A. SIBLEY,  
West Point Manuscript Librarian.

Madam Speaker, the next item that he took me to task for was the issue about Martha Washington and the fact that George Washington had asked to have her expenses reimbursed while she had spent all three winters with the Revolutionary Army in winter camp.

You see, at that time, as commander in chief, he had no money, no uniforms. Things were very, very tough. No one knew if they were going to win or not, and Martha Washington came in holding the troops together. He felt that that was worth repayment and submitted this following bill. I have a copy of the bill that George Washington submitted to have Martha Washington reimbursed. It is for her expenses from 1775 through 1782.

Madam Speaker, I include in the RECORD an article from the Washington Post talking about Margaret Corbin and an article from the World Book Encyclopedia talking about Margaret Corbin, who was the soldier in the Revolutionary Army.

The articles referred to are as follows:

REMEMBERING MARGARET CORBIN, DAUGHTER  
OF THE AMERICAN REVOLUTION  
(By Chadwick Allen Harp)

They may be barred by law from combat roles today, but American women have a

long tradition of fighting on the battlefield that goes back to the Revolutionary War and a young woman named Margaret Corbin.

On Nov. 16, 1776, Hessians under British command attacked Fort Washington on Manhattan Island, but encountered such vigorous resistance and such rapid artillery volleys that some remarked the Americans seemed possessed by demons. A ridge later known as Fort Tyron was defended by the First Company of Pennsylvania Artillery, and among the artilleryists was a young private named John Corbin. Beside him, handling ammunition to feed the hungry cannon, was his wife, Margaret, the daughter of a Scotch-Irish pioneer.

Suddenly a Hessian ball or shell smashed into John Corbin, fatally wounding him. But Margaret had no time to grieve; the enemy's relentless siege continued, and the men of the Pennsylvania company needed her help in the ranks more than her wounded husband required her care and comfort. Margaret immediately accepted the call to duty and stepped into John's position at his cannon. Soldiers remarked later that Margaret served "with skill and vigor"—until Hessian grapeshot tore into her, ripping away part of her breast and nearly severing an arm.

After the battle her comrades took their "Captain Molly" across the Hudson River to Fort Lee, N.J., where she received further medical care that ensured her recuperation. When she finally was well enough to travel, Margaret relocated to the Philadelphia area, continued her long-term recovery and became one of the original members of the Invalid Regiment created by Congress to care for disabled and crippled soldiers.

On June 29, 1779, the Supreme Executive Council of Pennsylvania, the decision-making body of the executive branch, allocated Margaret a \$30 stipend "to relieve her present necessities" and recommended that the Board of War give her a pension. Barely a week later, Congress received a letter from the Board of War supporting the Executive Council's recommendation. Congress immediately authorized that Margaret receive, for life, one-half of the monthly pay allotted soldiers and, as a one-time allocation, a complete outfit of clothing. By this act Congress pensioned the first female veteran in American history.

Margaret died near Hudson Highlands, N.Y., in 1800. In 1909, more than a century later, a tablet was put in place at Fort Washington Avenue and Corbin Place in New York City recognizing Margaret Corbin as the "first woman to take a soldier's part in the war for liberty."

Many other American women have since seen hostilities—among them Mary Ludwig Hays McCauley ("Molly Pitcher"), who also stepped into her husband's position in the Revolutionary War at the Battle of Monmouth in 1778; Civil War scout and spy "General" Harriet Tubman; the more than 200 women killed by enemy fire in World War II; the eight women whose names are chiseled into the stone of the Vietnam Veterans Memorial; and Capt. Linda Bray, who commanded a platoon of military police in a 1989 Panama firefight.

In a sense, Margaret Corbin honors them all. On March 16, 1926, the Daughters of the American Revolution arranged to have Corbin's remains removed from Highland Falls, N.Y., to the post cemetery at the United States Military Academy at West Point. Next to the grave stands a memorial to the only Revolutionary War soldier buried on academy grounds—an artillery gunner, a hero and a woman.

[From the World Book Encyclopedia]

Corbin, Margaret Cochran (1751-1800), became a heroine at the Battle of Fort Washington in 1776, during the Revolutionary War